

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANDREW DELANCEY,

Plaintiff,

-against-

JUSTIN WELLS, FOX CORPORATION,
and FOX NEWS NETWORK, LLC

Defendants.

Case No. 1:23-CV-10357(AT)

**DEFENDANTS FOX CORPORATION AND FOX NEWS NETWORK, LLC'S
NOTICE OF MOTION AND MOTION TO DISMISS COUNTS III AND IV OF
PLAINTIFF'S FIRST AMENDED COMPLAINT PURSUANT TO FRCP 12(b)(6)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Motion to Dismiss Counts III and IV of Plaintiff's First Amended Complaint pursuant to FRCP 12(b)(6), Defendants Fox News Network, LLC and Fox Corporation (the "Fox Parties"), by and through their undersigned counsel, will and hereby do move this Court, before the Honorable Analisa Torres, United States District Court for the Southern District of New York, 500 Pearl Street, New York, NY at such date and time as the Court shall designate, for an order, pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing Counts III and IV of Plaintiff's First Amended Complaint, with prejudice.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's Order of February 28, 2024 (ECF No. 33), Plaintiff's Opposition brief is due on April 23, 2024, and the Fox Parties' Reply brief is due on May 7, 2024.

Dated: New York, New York
April 2, 2024

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